

MEDINA CITY COUNCIL
REGULAR MEETING MINUTES

June 12, 2006
7:00 pm

Medina City Hall
501 Evergreen Point Road

CALL TO ORDER

Miles Adam called the June 12, 2006, Medina City Council regular meeting to order at 7:04 pm.

ROLL CALL

Present: Miles Adam, Lucius Biglow, Drew Blazey, James Lawrence, Katie Phelps, Robert Rudolph, and Pete Vall-Spinosa

City Staff Present: Douglas Schulze, City Manager, Wayne Tanaka, City Attorney, Ogden Murphy Wallace; Jeff Chen, Chief of Police; Joseph Gellings, Director of Development Services; and Joe Willis, Director of Public Works

MEETING AGENDA

Agenda was reordered per council consensus to begin with Item J-1, King County Library System Ballot Proposition Report; and then Item I-1, Bellevue School District Variance, following Reports. Council agreed to discuss only TIP portion of Item I-2, 2007-2012 CIP/TIP; and removed Item J-4, Council Calendar.

MOTION VALL-SPINOSA AND SECOND PHELPS TO APPROVE MEETING AGENDA, MOTION PASSED 7-0, 7:05 PM.
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ANNOUNCEMENTS

Council (7:06 pm)

Mayor announced a private citizen, not the city, was conducting filming of the council meeting. Rudolph reported that a public meeting would be held on June 20th to view the draft environmental impact statement for SR-520 at St. Luke's Lutheran Church on Bellevue Way, from 1:30 pm to 4:30 pm.

Staff (7:13 pm)

Schulze requested audience members fill out speaker cards, if they choose to address the council.

CONSENT AGENDA

MOTION PHELPS AND SECOND LAWRENCE TO APPROVE CONSENT AGENDA ITEMS:

- May 8, 2006 City Council Regular Meeting Minutes
- May 22, 2006 City Council Study Session Minutes
- May 2006 Checks/Finance Officer's Report

MOTION PASSED 7-0, 7:09 PM.

AUDIENCE PARTICIPATION

Mayor opened the floor to audience participation for non-agenda items.

Heija Nunn thanked the city council, public works staff, and Medina residents for combined effort contributing to installation of the new playground in Medina Park, 7:10 pm.

REPORTS

Police Department (7:11 pm)

There were no questions posed to Chief Chen and the mayor thanked him for the report.

Development Services (7:11 pm)

The council did not address questions to Gellings and thanked him for his report.

Public Works Department (7:12 pm)

No questions were asked of Willis and council thanked him for the report.

Park Board (7:13 pm)

Park Board Chair Lisa Fleischman thanked the public works department for its effort to get work completed in order to complete playground installation and thanked residents, Marianne Mowat and Jodi Major, for their dedication and vision to get the project off the ground. Fleischman said the children would appreciate the new playground for years to come.

City Manager (7:14 pm)

There were no questions regarding the city manager report.

OTHER BUSINESS

King County Library System Ballot Proposition Report (7:16 pm)

Schulze reported that the council received correspondence from a resident requesting the ballot measure and then directed staff during the April 10th council meeting to prepare a report, which would summarize and review the city's past and current participation in the system.

Schulze explained the procedure to opt out of the library system and the costs that would be incurred to place the proposition on the 2006 general election ballot.

Schulze said Julie Wallace from the King County Library System would be available to answer questions tonight during the meeting.

Mayor opened floor for public comment at 7:29 pm.

Mary Saad posed the question asking if all households in King County are assessed at the same rate, 7:29 pm.

Fina Short read from a written statement to encourage Medina to remain in the library system, 7:31 pm.

Roberta Goodnow spoke against placing the proposition on a ballot, explaining the system provides more than books and as citizens there is social and governmental responsibility to provide access to everyone to the library system, 7:33 pm.

Sally Coleman expressed agreement with Mrs. Goodnow and stated she enjoys the experience of going to the library and the system should be supported just as schools are, 7:34 pm.

Joanne Delbene said she's retired and lives on limited income, but is committed to the library system, strongly committed to leaving a legacy to future generations, and would oppose a ballot measure. Mrs. Delbene stated libraries are essential and Medina should continue to make its commitment, 7:35 pm.

Sarah Nelson suggested that if one resident came forward with the request it would be a tremendous waste of money to put on the ballot since resounding support from others has come forward to support the library system, 7:36 pm.

Margaret Maxwell commented that the issue should be placed on a future ballot. She said that Medina is assessed a higher rate than other areas in the county and some retired Medina residents may not be able to afford paying for the library. Other towns that have opted out do have options, if they choose to participate individually, 7:36 pm

Bruce Hand suggested council focus on programs that would help people to stay in their Medina homes; programs are available to those on restricted budgets. He said removing Medina from the library system is not an option for everyone and

recommended not withdrawing from library system but to find options for others that can't afford to pay, 7:38 pm.

Kristen Edelhertz seconded Mr. Hand's comments and expressed her opinion that placing it on a ballot to opt out would be wrong and it should not be an option. She said there should be other ways to help people that need tax relief, 7:40 pm

Heija Nunn remarked that students and adults use libraries and access databases online from home and are able to use other regional libraries through the system's partnerships. She said Medina should retain access to the library system for current residents and future generations, 7:40 pm.

Doug Dicharry indicated he already submitted written comments, but recapped his main points recommending council not place the issue on a ballot and council should be clear that the library system provides a wealth of information and services. Mr. Dicharry said the residents should do everything in their power to support an educated citizenry in the city and county and the library is just one way. He urged council to support the library system, 7:43 pm.

Henry Paulman said it should go on the ballot for a number of reasons, including tax increases and the amount of money residents pay to the library system. He said libraries are overspending and this would be an opportunity to vote, 7:46 pm.

Sherri Delbene opposed placing issue on the ballot and agreed with what has already been said. She commented that children would be at a disadvantage if the library would not be available to them, 7:48 pm.

Carib Nelson said that to question the commitment to the library system seems elitist and would be a coldhearted and unappreciative attitude to take. He said the city should feel privileged to be a part of the library system and hopes it remains so, 7:48 pm.

Roger Ngouenet stated that it is costly to operate a library with the number of technology options available to users. He said it is an investment for the future and he supported remaining with the library system, 7:49 pm.

Mayor closed audience participation at 7:52 pm.

Council discussion followed.

<p>MOTION BIGLOW AND SECOND BLAZEY TO EXPLORE WITH LIBRARY SYSTEM THE POSSIBILITY OF AN APPROPRIATE FINANCIAL ARRANGEMENT AND TO EXPLORE INTEREST OF OTHER JURISDICTIONS WITHIN KING COUNTY LIBRARY SYSTEM REGARDING COSTS BEFORE DECISION MADE TO PLACE ON BALLOT, MOTION FAILED 2-5 (BIGLOW AND BLAZEY IN FAVOR), 8:26 PM.</p>
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MOTION LAWRENCE AND SECOND VALL-SPINOSA TO APPROACH OTHER CITIES WITHIN KING COUNTY LIBRARY SYSTEM TO DETERMINE IF THERE WOULD BE ANY INTEREST IN JOINTLY DISCUSSING COST OF LIBRARY SYSTEM WITH KING COUNTY LIBRARY DISTRICT, MOTION CARRIED 6-1 (PHELPS OPPOSED), 8:32 PM.

Councilmembers agreed the city should draft a letter for the mayor's signature and address it to other cities and towns within the King County Library System to determine interest level in further discussion regarding costs associated with the library system.

MOTION RUDOLPH AND SECOND LAWRENCE TO SURVEY CITIZENS ELECTRONICALLY OR BY PAPER AND UPON APPROVAL BY THE COUNCIL TO GAUGE INTEREST LEVEL IN RETAINING MEMBERSHIP WITH THE KING COUNTY LIBRARY SYSTEM, MOTION FAILED 1-5-1 (RUDOLPH IN FAVOR, PHELPS ABTAINED), 8:40 PM.

Mayor called for a break at 8:41 pm and called the meeting back to order at 8:47 pm.

PUBLIC HEARING

Bellevue School District Variance (8:48 pm)

Mayor opened public hearing.

There were no councilmembers that acknowledged disclosures that he/she would be unable to represent an appearance of fairness and no member of the public or applicant challenged councilmembers' decisions to the appearance of fairness.

Mayor provided explanation for the hearing process and those choosing to speak during the hearing were administered an oath by the city attorney.

*John Amanat, Capital Projects Manager, Bellevue School District
12037 Northeast Fifth Street, Bellevue, 8:51 pm.*

Mr. Amanat spoke on behalf of the Bellevue School District to request council consider the variance requesting the addition of an electronic reader board sign. He described the dimension, location, purpose and use of proposed sign. Mr. Amanat presented photographs that showed examples of proposed sign and proposed location on school site.

Gellings summarized staff report and recommended approval of the variance with the condition that the sign be turned off daily after dark. He described hardships related to the variance supporting approval recommendation and showed how a similar sign, of smaller scale on display in the council chambers, would function.

Gellings answered council inquiries.

Mayor invited members of the audience to provide comment.

Bill Kinzel referred to a letter submitted previously by Mr. Hovey and mirrored his comments to the council. He stated that a digital sign would not keep spirit with the residential character of Medina and requested council deny the variance request, adding that no unique circumstances warrant deviation from zoning code requirements.

Mr. Kinzel submitted pictures of signs at St. Thomas and Bellevue Christian, which were admitted as exhibits six and seven respectfully, and introduced printouts from the Medina Elementary School PTA website, assigned as exhibit eight, to prove statement that ample means of communication exist and the sign would not be necessary, 9:09 pm.

Margaret Maxwell entered into exhibits, a photograph taken from the sidewalk in front of her driveway identifying what the view of the proposed sign would be from that location. She stated her concern regarding safety, explaining children and other drivers may not be seen if drivers are distracted while reading the sign. Resident stated her opposition and commented that approval of variance would set a dangerous precedent in Medina, 9:15 pm.

Kay Koelemay stated that an LED sign would not be consistent with the neighborhood and does not fit in with the character of Medina. She said the variance application does not request illumination and variance approval could set a precedent for other schools in the community and may set precedent for the church and country club, as well, 9:19 pm.

Paul Saad referred to the lighted Medina Chevron sign and remarked the planning commission approval of it was a mistake. He said lighted signs do not keep with the rural character of Medina expressed concern about brightness of the sign during daylight hours. Resident stated opposition to the sign, 9:23 pm

Patti Thompson remarked that Medina has a rural identity and a lighted sign would disturb that. She asked council to deny the sign as it would negatively impact the neighborhood and could potentially set a precedent in Medina, 9:25 pm.

Pat Boyd expressed that he maintained no position on the issue, except that he would oppose the request if sign were located nearer the street. He said an electronic sign could replace numerous posters and other items displayed at the school and could be set to turn off at specific times and set for specific brightness. Resident stated documents are available to disprove safety concerns, 9:27 pm

Heija Nunn questioned signs illuminated by exterior lights elsewhere in Medina and if that is allowable by code, 9:32 pm.

Betsy Johnson spoke in favor of the sign adding that there has been a drive for many years to have a reader board to help communicate information, in addition to other media currently used. She said the school district proposed to position the sign

unobtrusively in neighborhood and stated she would rather the school not be polluted with a lot of other signage, 9:33 pm.

Wilma Edmonds claimed the sign on display in the council chambers could not be viewed from more than 200 feet away, 9:38 pm.

Mayor invited applicant to provide rebuttal testimony, however, there was none. The council addressed inquiries to the applicant.

Mayor closed testimony and council proceeded to deliberations at 9:41 pm.

MOTION BLAZEY AND SECOND BIGLOW TO DENY VARIANCE, MOTION CARRIED 7-0, 9:59 PM.
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MOTION BLAZEY AND SECOND PHELPS TO EXTEND MEETING ONE HOUR, MOTION PASSED 7-0, 10:02 PM.
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Mayor polled audience to determine level of interest for remaining agenda items and determined Item J–3, Northeast Eighth Street Sidewalk Project, would be discussed next.

OTHER BUSINESS

Northeast Eighth Street Sidewalk Project (10:03 pm)

Willis described photos of proposed project area and reviewed packet materials.

Mayor opened floor to audience participation.

Heija Nunn said the sidewalk would impact the entire community, not just residents living directly on Northeast Eighth Street. She said council should consider sidewalk installation in front of a public school, 10:09 pm.

Shawn Fitzpatrick opposed the sidewalk and said council should consider that children have walked to the store safely for over 40 years without a sidewalk. She said an increased police presence could be used at that location. Resident said she has maintained a hedge on her property for 50 years and homes there have already been negatively impacted by the store. She suggested that if a sidewalk must go in, it should be from the store to the beach, 10:10 pm.

Paul Saad referred to sidewalk display presented by resident, Gerry Zyfers, at previous council meeting and distributed comments from property owners to the council. Mr. Saad stated he and Mr. Zyfers doorbelled 17 neighbors to gather input regarding the walkway installation and design and summarized the results. Resident offered history surrounding earlier asphaltting of Northeast Eighth Street and indicated preference to preserve the rural character on the street, 10:12 pm.

Betsy Johnson stated that to enhance the rural character of Medina and to encourage people to get out of their cars and to walk in the community, the city should provide a safe and comfortable place to walk, such as walking paths and sidewalks. She also stated that the school population is currently larger than in the past and there are more children in the community now, 10:19 pm.

Ross Kring remarked that there is already a walkway on Northeast Eighth Street and people have trouble walking along there because parents park vehicles on the path. He suggested the school district handle the walkway, 10:21pm.

Wilma Edmonds suggested the council listen to the citizens that live on Northeast Eighth Street and commented that a sidewalk should not be installed unless the city would be willing to dedicate time and money for maintenance, 10:22 pm.

Mary Saad said that what currently exists is safe and working and that she has not been aware of any problems and the city should keep the status quo, 10:23 pm.

Mayor closed floor to audience participation at 10:23 pm.

MOTION LAWRENCE AND SECOND BIGLOW TO LEAVE NORTHEAST EIGHTH STREET AS IT CURRENTLY EXISTS, MOTION FAILED 2-4-1 (ADAM, PHELPS, RUDOLPH, VALL-SPINOSA OPPOSED AND LAWRENCE ABSTAINED) 10:33 PM
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MOTION VALL-SPINOSA AND SECOND LAWRENCE TO INSTALL PEDESTRIAN WALKWAY ON SOUTH SIDE OF NORTHEAST EIGHTH STREET FROM WEST END OF BUS LOOP TO EVERGREEN POINT ROAD, MOTION CARRIED 6-1 (PHELPS OPPOSED) 11:04 PM
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Meeting extended thirty minutes by council consent at 11:04 pm.

MOTION BLAZEY AND SECOND ADAM TO INSTALL GRAVEL PATHWAY ON SOUTH SIDE OF NORTHEAST EIGHTH STREET WITH MAXIMUM REGARD TO EXISTING LANDSCAPING AS POSSIBLE, MOTION PASSED 6-1 (PHELPS OPPOSED), 11:07 PM.

Medina Beach Project (11:08 pm)

Willis reported that the city received one bid only, submitted by McClure and Sons with Waterfront Construction as subcontractor. He summarized the bid and said he had contacted other contractors from the bidders list that indicated interest in the project, however, was told that there was not enough time to prepare bids and/or was told work could not be scheduled until the fall.

Mayor opened floor to public comment at 11:14 pm.

Mary Maron said that one larger pier replacing the existing smaller pier would be sufficient for Medina and would accommodate police, boaters and viewers. She

remarked that there is a lack of community interest in the project since very few residents appeared at the meeting to express their opinions, 11:14 pm.

Heija Nunn said the park board approved the two dock plan by a 6-1 vote and referred to the comprehensive plan indicating such a design should be a natural option and that that would be the reason why there was not a full house to address the council. Ms. Nunn stated she would like the record to reflect that Ms. Maron is an immediate adjacent neighbor to the dock and that is why she is against the proposed project, 11:16 pm, 11:31 pm.

Pat Boyd stated he was present to support the idea of two piers, 11:17 pm.

Howard Maron said that in the interest of preserving the rural characteristics of Medina, the dock should not be constructed out of steel, 11:17 pm.

Mayor closed the floor to public comment at 11:33 pm.

MOTION BLAZEY AND SECOND VALL-SPINOSA TO REJECT BID FROM MCCLURE AND SONS, MOTION CARRIED 7-0, 11:23 PM.
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MOTION BLAZEY AND SECOND BIGLOW TO DESIGN A SINGLE MULTI-PURPOSE DOCK SITED FURTHER WEST THAN CURRENT PROPOSED LOCATION, MOTION FAILED 3-4 (ADAM, PHELPS, RUDOLPH, VALL-SPINOSA OPPOSED) 11:37 PM.
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MOTION PHELPS AND SECOND LAWRENCE TO AUTHORIZE REBID, MOTION PASSED 5-2 (BIGLOW AND BLAZEY OPPOSED), 11:38 PM.
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Meeting extended to 12:00 am by council consent, 11:39 pm.

PUBLIC HEARING

2007 – 2012 TIP (11:40 pm)

Mayor stated the discussion would include only categories, I (street improvement projects), II (storm drainage projects) and III (sidewalks/paths projects) from the packet. Willis introduced packet materials and council discussion followed.

Mayor opened floor to public comment at 11:53 pm.

Wilma Edmonds objected to spending money and planning projects for area at north end of Evergreen Point Road at SR-520 until proposed SR-520 project plans are finalized, 11:53 pm.

Betsy Johnson remarked that a gravel path on the east side of the road which borders Fairweather would have no impact on Northeast 32nd Street and would not be impacted by SR-520. She said the pathway should start at 32nd and continue to Fairweather Lane, 11:54 pm.

Heija Nunn commented that the pathway should connect with the one along Fairweather Park and should be ADA accessible and provide pedestrian access, 11:56 pm

Mayor closed the public hearing at 11:57 pm.

MOTION PHELPS AND SECOND VALL-SPINOSA TO ADOPT 2007-2012 TRANSPORTATION IMPROVEMENT PLAN, MOTION CARRIED 5-2 (ADAM AND LAWRENCE OPPOSED) 11:58 PM.

OTHER BUSINESS

Planning Commission Appointment (11:58 pm)

Adam described his review of the applications and his consideration of applicants in regard to the issues that the planning commission would consider during the next year. He remarked about his intention to optimize skills on the commission in an effort to ensure that the best advice would be brought forward to the council. He said that his recommendations would accomplish that goal and provide the best possible support to the city. Council discussion followed.

MOTION BIGLOW AND SECOND PHELPS TO ENTER INTO EXECUTIVE SESSION FOR TEN MINUTES TO DISCUSS QUALIFICATION OF APPOINTMENT, MOTION FAILED 2-5, 12:06 AM.

Meeting extended 15 minutes by council consent at 12:06 am.

MOTION BLAZEY AND SECOND LAWRENCE TO CONFIRM APPOINTMENT OF KAREN SPARKS TO POSITION THREE ON PLANNING COMMISSION, MOTION CARRIED 4-2-1 (PHELPS AND RUDOLPH, OPPOSED, VALL-SPINOSA ABSTAINED) 12:14 AM.

MOTION LAWRENCE AND SECOND BLAZEY TO CONFIRM APPOINTMENT OF JUDIE O'BRIEN TO POSITION SEVEN ON PLANNING COMMISSION, MOTION CARRIED 7-0, 12:14 AM.

ADJOURNMENT

MOTION AND SECOND TO ADJOURN THE JUNE 12, 2006, CITY COUNCIL MEETING, MOTION PASSED, 7-0, 12:15 AM.

The June 12, 2006, Regular Meeting of the Medina City Council adjourned at 12:15 am. The next City Council regular meeting will be held, Monday, July 10, 2006, at 7:00 pm.

Pursuant to study session resolution adopted January 9, 2006, a study session will not be held during the month of June 2006.

Mayor, Miles R. Adam

Attest:

Rachel Baker, Administrative Assistant